

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CLAL FINANCE BATUCHA INVESTMENT  
MANAGEMENT, LTD., THE PHOENIX  
INSURANCE COMPANY, LTD., EXCELLENCE  
NESSUAH MUTUAL FUNDS MANAGEMENT,  
LTD. and EXCELLENCE NESSUAH GEMEL &  
PENSION, LTD., Individually and on Behalf of All  
Others Similarly Situated,

Plaintiffs,

vs.

PERRIGO COMPANY, JOSEPH C.  
PAPA, and JUDY L. BROWN,

Defendants.

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Civil Action No. 09-CV 2255 (TPG)

**ECF CASE**

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that, upon the Declaration of Bradley J. Andreozzi dated October 29, 2010, the exhibits annexed thereto, and the Memorandum of Law in Support of Defendants' Motion to Dismiss the Amended Complaint dated October 29, 2010, defendants will move this Court before the Honorable Thomas P. Griesa, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, at such a time as the Court hereafter determines, for an Order: (1) dismissing the Amended Complaint with prejudice and in its entirety, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure; and (2) granting such other and further

relief as the Court deems just, equitable and proper.

Dated: New York, New York  
October 29, 2010

Respectfully submitted,

/s/ Bradley J. Andreozzi  
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Counsel for Defendants

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that on October 29, 2010, true and correct copies of the Notice of Motion, Declaration of Bradley J. Andreozzi, Esq. and attached Exhibits, and Memorandum of Law were served via electronic mail, upon all counsel designated to receive electronic service in this matter.

Dated: New York, New York  
October 29, 2010

/s/ Brian F. McDonough  
Brian F. McDonough

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